III. REMARKS

Claims 1, 3-16, 18-20, and 22-25 are pending in this application. By this Amendment, claims 1, 10, 15, 20, and 22 are amended; claims 2, 17, and 21 are cancelled; and claims 23-25 are new. Applicants are not conceding in this application that those claims are not patentable over the art cited by the Examiner, as the present claim amendments and cancellations are only for facilitating expeditious allowance of the claimed subject matter. Applicants respectfully reserve the right to pursue these and other claims in one or more continuation and/or divisional patent applications. Reconsideration in view of the following remarks is respectfully requested.

Rejections under 35 U.S.C. §§ 102(e) and 103(a)

In the Office Action, claims 1-4, 6, 10, 13-18, and 20-22 are rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by Oliver *et al.* (US Pub. 2008/0021969, hereinafter, "Oliver"); and claims 5, 7-9, 11-12, and 19 are rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Oliver in view of Ogimoto *et al.* (US Pat. No. 6,032,205, hereinafter, "Ogimoto"). With regard to independent claims 1, 10, 15, and 20, Applicants have amended each of these claims herein, and respectfully submit that Oliver fails to teach the claimed methods, system, and computer readable storage unit storing a program product for communicating over a network, including each and every feature recited herein.

For example, Applicants have amended claims 1, 10, 15, and 20 herein to recite the feature of "generating a message on the client to be sent to a server" (claim 1, line 4; and similarly recited in claim 10, line 5; claim 15, line 4; and claim 20, line 8). Support for these amendments may be found in previously presented (now cancelled) claim 2, as well as the specification as filed in at least paragraph [0023], lines 4-5.

In the Office Action, the Office relies on Oliver at paragraph [0009] to teach the *generating* feature. Oliver, however, teaches a system and method for processing email messages ([0009], lines 1-2) for the purpose of blocking junk, or "spam" email ([0003], lines 2-4), which generates a message summary by removing or replacing certain words, phrases, sentences, punctuation, etc. ([0009], lines 3-5.) Oliver then generates a message signature based upon the message summary, and stores the message signature in a signature database, which may be used to identify and/or classify spam messages. (*Id.*, lines 6-9.) Messages *received on the system* may then be classified based on the signatures, and processed according to their classifications. (*Id.*, lines 9-11; *see also* FIG. 2.) Therefore, Oliver teaches classifying *previously-generated* messages that are *received* on the system, which contrasts with the claimed method including "generating a message on the client to be sent to a server; classifying the message at the client [...]; and after classifying the message at the client, sending the message to the server..." (claim 1, lines 4-5 and 11; and similarly recited in claims 10, 15, and 20), in which the message is classified on the same client as that on which it was generated, before sending the message to the server.

Applicants have further amended claims 1, 10, 15, and 20 to recite the feature of "classifying the message at the client based on the set of rules, wherein the classifying is based on at least one of: at least one attribute of a program sending the message, content of the message, an identity of the client from which the message is being sent, a message type, and an identity of a processing system processing the message" (claim 1, lines 5-10; and similarly recited in claim 10, lines 6-10; claim 15, lines 5-9; and claim 20, lines 9-13). Support for these amendments may be found in the specification as filed in at least paragraph [0025], lines 6-10.

As noted above, Oliver teaches a system and method for classifying received messages, specifically for the purpose of blocking spam emails, which includes constructing a summary, generating a signature based on the summary, storing the signature in a signature database, and using the stored signatures to identify spam emails that have similar signatures/summaries. The content of the summaries includes the canonical equivalents of the useful words and phrases (i.e., excluding "a," "an," "the," and "to") in the received email ([0027], lines 1-4; [0028], lines 1-2), and is condensed to remove redundant information ([0028], line 6). At least one signature is then generated based on the summary of a given email. ([0030], lines 4-5.) Therefore, Oliver's classification is based on the "condensed, canonical form of a message" ([0029], lines 1-2), rather than "at least one of: at least one attribute of a program sending the message, content of the message, an identity of the client from which the message is being sent, a message type, and an identity of a processing system processing the message" (claim 1, lines 7-10).

For at least the reasons stated above, Applicants respectfully submit that Oliver does not teach each and every feature of the invention claimed in the instant application. Withdrawal of the rejections of claims 1, 10, 15, and 20 under § 102(e) is therefore respectfully requested.

With respect to the rejections of dependent claims 5, 8, 11, and 19 under § 103(a), Applicants respectfully submit Oliver and Ogimoto do not teach the features recited therein. For example, claim 5 recites the "method of claim 1, further comprising adjusting a communications protocol port for the message based on the classification prior to the sending step." Ogimoto, on which the Office relies to teach the feature of the recited port, teaches "a request adjustment circuit 35 corresponding to the output port "0" is correspondingly arranged for every input ports "0" to "3", i.e. in correspondence with the request issuing circuits 31 and 34…" (Ogimoto, col. 4, lines 27-30.) As shown in FIG. 2, Ogimoto teaches a parallel computer including four nodes

11 to 14, a crossbar switch 10 with four input/output ports 0 to 3, and signal lines 150 to 153 and 170 to 173, respectively. (*Id.*, col. 1, lines 42-45.) The input/output ports 0 to 3 are shown in greater detail in, e.g., Ogimoto's FIGS. 3-5. Thus, as asserted in Applicants' submission of October 1, 2008, Ogimoto's teachings pertain to adjustment of physical input and output ports, rather than *communications protocol ports* as recited herein. To underscore the difference between the claimed "communications protocol ports" and Ogimoto's input/output ports, a communications protocol port is an application-specific or process-specific *software construct* that serves as a communications endpoint used by Transport Layer protocols of the Internet Protocol Suite, such as Transmission Control Protocol (TCP) and User Datagram Protocol (UDP). As is widely known in the art, individual communication protocol ports are identified by 16-bit unsigned integers, thus ranging from 0 to 65535, commonly known as the port number (*see generally*, specification at paragraphs [0032-0034] and FIG. 3); the IP address that it is associated with; and the protocol used for communication. In contrast, physical ports such as Ogimoto's are hardware components (*see, e.g.,* Ogimoto, FIG. 3) which serve as an interface between a computer and other computers or peripheral devices. The port itself is typically a specialized outlet on a piece of equipment to which a plug or cable connects (such as Ogimoto's signal lines 150-153 and 170-173). Because Ogimoto's physical ports are not relevant to the claimed communications protocol ports, Applicants submit that the subject matter recited in claim 5 is not obvious.

Similarly, with respect to dependent claim 8, Applicants submit that Oliver and Ogimoto do not teach or suggest the feature of "wherein the classified message and the response message are communicated over a first communications protocol port, and wherein the first communications protocol port is not a default communications protocol port." In the Office

Action, the Office relies on Ogimoto at col. 11, line 11, which teaches "a crossbar switch which includes a plurality of input ports, a plurality of output ports..." as discussed above. Applicants submit, however, that for reasons discussed above relative to Ogimoto's lack of teaching communication protocol ports, Ogimoto also does not teach "wherein the classified message and the response message are communicated over a first communications protocol port, and wherein the first communications protocol port is not a default communications protocol port." Further, Ogimoto does not mention a "default port" of any kind.

With respect to dependent claims 11 and 19, Applicants reiterate the arguments presented above relative to claims 5 and 8, and respectfully submit that Ogimoto's lack of teaching communication protocol ports renders the rejection under § 103(a) defective.

With further respect to dependent claims 5, 8, 11, and 19, and with respect to dependent claims 3-4, 6-9, 11-14, 16, 18-19, and 22-25, Applicants respectfully submit that these claims are allowable for reasons stated above relative to independent claims 1, 10, 15, and 20, as well as for their own additional claimed subject matter. Further, with respect to claims 5, 7-9, 11-12, and 19, Applicants submit that Ogimoto does not cure the defects in the rejections discussed above. Accordingly, Applicants respectfully request that the Office withdraw the rejections under 35 U.S.C. §§ 102(e) and 103(a) to claims 3-4, 6-9, 11-14, 16, 18-19, and 22.

Additional Amendments/Newly Presented Claims

By this Amendment, claim 20 has been further amended to recite a"computer-readable storage unit storing a program product comprising instructions which, when executed, cause a computer system to communicate over a network, the instructions comprising..." This amendment is intended merely to provide improved clarity with regard to the claimed invention, and recites no new matter. Support can be found in the specification as filed in at least paragraph

[0020], lines 1-2 and 7-9; paragraph [0035], lines 8-15; as well as FIG. 1, particularly storage unit 24. Claim 22 has also been amended analogously merely to provide clarity and recite no new matter.

With respect to new dependent claims 23-25, Applicants submit that no new matter is contained therein, as claim 23 finds support in the specification as filed in at least paragraph [0027], lines 8-10; claim 24 finds support in paragraph [0029], lines 1-5; and claim 25 finds support in [0029], lines 6-8. Applicants further submit that these features are allowable for reasons that are presented above relative to the method of claim 1 and the system of claim 15, as well as their own additional claimed subject matter. Applicants further submit that no additional fees are due upon the presentation of new dependent claims 23-25, as the application currently contains the same number of pending independent and dependent claims as originally filed.

IV. CONCLUSION

Applicants respectfully submit that the Application as presented is in condition for allowance. Should the Examiner believe that anything further is necessary in order to place the application in better condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,

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